

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document was signed electronically at the time and date indicated, which may be materially different from its entry on the record.



  
Russ Kendig  
United States Bankruptcy Judge

Dated: 01:47 PM September 29, 2022

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE: ) CHAPTER 13  
)  
JOSEPH GARY TOPA, ) CASE NO. 20-60922  
)  
Debtor. ) JUDGE RUSS KENDIG  
)  
) **ORDER DENYING**  
) **APPLICATION FOR**  
) **COMPENSATION**

On August 11, 2022, Deborah Mack, attorney for Debtor (“Attorney”), filed a fee application seeking \$3,900.00 for representing Debtor in this case. No objections were filed. The court will not approve the application for two compelling reasons.

First, the trustee has no money to pay the fees. Seven days after Attorney filed the fee application, the chapter 13 trustee (“Trustee”) provided notice that Debtor completed his payments under the plan. Upon further review of the docket, in March 2021, Trustee filed a notice outlining claims to be paid. It showed Attorney did not have a claim and would not receive anything through the plan, exactly what happened. Trustee has since filed a final report showing full disbursement of Debtor’s plan payments and nothing remains to pay Attorney.

Second, Debtor is not going to get a discharge because Attorney has not completed the end-of-case paperwork required under Administrative Order 08-06. Even if there was money available, it would be supremely unfair to pay Attorney for services that did not result in a discharge in a case where Debtor made all of his plan payments.

The application is hereby **DENIED**.

It is so ordered.

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**Service List:**

Joseph Gary Topa  
210 Wilmar Ave  
Mansfield, OH 44903

Deborah L. Mack  
53 E Main Street  
Lexington, OH 44904

Dynele L Schinker-Kuharich  
Office of the Chapter 13 Trustee  
200 Market Avenue North, Ste. LL30  
Canton, OH 44702